Vol_MO2_Page_56997

'02 OCT 4 PH3:05

WHEN RECORDED MAIL TO:

LAW OFFICES OF STEVEN J. MELMET, INC. 2912 S. Daimler Street Santa Ana, CA 92705-5811

State of Oregon, County of Klamath
Recorded 10/04/2002 3:05 p. m.
Vol M02, Pg 5697.57007
Linda Smith, County Clerk
Fee \$ 8/00 # of Pgs //

K58807

THE SPACE ABOVE LINE IS FOR RECORDER'S USE ONLY

T.S. NO.: 2002-30199-C LOAN NO.: 8416984

AFFIDAVITS OF MAILING, PUBLICATION, AND SERVICE OF NOTICE OF DEFAULT AND ELECTION TO SELL AND TRUSTEE'S NOTICE OF SALE

T.S. NO.: 2002-30199-C LOAN NO.: 8416984

AFFIDAVIT OF MAILING NOTICE OF SALE

STATE OF CALIFORNIA COUNTY OF ORANGE

I, TERI VON ACHEN, being first duly sworn, depose, say and certify that: At all times hereinafter mentioned I was and now am a resident of the State of CALIFORNIA, a competent person over the age of eighteen years and not the beneficiary or his successor in interest named in the attached original or copy of notice of sale given under the terms of that certain trust deed described in said notice.

I gave notice of sale of the real property described in the attached notice of sale by mailing a copy thereof by registered or certified mail and regular mail to each of the following named person's at their last known address, attached hereto.

Said person(s) include the grantor in the trust deed, any successor in interest to the grantor whose interest appears of records or whose interest the trustee or the beneficiary has actual notice, and any persons requesting notice as provided in ORS 86.785, and all junior lien holders as provided in ORS 86.740.

Each of the notices so mailed were certified to be a true copy of the original notice of sale by LUIS CERDA, for FIRST AMERICAN TITLE INSURANCE COMPANY, the trustee named in said notice; each such copy was contained in a sealed envelope, with postage thereon fully prepaid, and was deposited by me in the United States post office at Santa Ana, CA on 6/18/2002. Each of said notices was mailed after the notice of default and election to sell described in said Notice of Sale was recorded and at least 120 days before the day fixed in said notice by the trustee for the trustee's sale.

As used herein, the singular includes the plural, trustee includes successor trustee, and person includes corporation and any other legal or commercial entity.

TERI VON ACHEN

STATE OF CALIFORNIA COUNTY OF ORANGE

On June 18, 2002 before me, the undersigned, A Notary Public in and for said State, personally appeared TERI VON ACHEN personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his./her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official/seal

Signature

KAY HENDRICKS
COMM. #1285661
Notary Public-Celtfornia
ORANGE COUNTY
My Comm. Exp. Dec. 27, 2004

NOTICES WERE SENT TO THE FOLLOWING PARTIES:

NAME	ADDRESS
BERNIECE I. AWMILLER	2043 DEL MORO STREET
	KLAMATH FALLS, OREGON 97601
BERNIECE I. AWMILLER	P.O. BOX 631
	KLAMATH FALLS, OREGON 97601
JE BATZER	2043 DEL MORO ST.
APPOINTED UNDER THAT CERTAIN TRUST	KLAMATH FALLS, OR 97601
KNOW AS NORTHERN	
PACIFIC	
RAIL TRANSPORATION	
TRUST FORMED UNDER	
A DECLARATION OF	
TRUST	
DATED 2-16-2000 AS	
ORIGINATED UNDER 55-	
17-1 VIRGINIA STATUTES	
TRUST	
#36-1202043 AND	
TRUSTEE JE BATZER AS	
TRUSTEE	
JE BATZER	P.O. BOX 631
APPOINTED UNDER	KLAMATH FALLS, OR 97601
THAT CERTAIN TRUST	
KNOW AS NORTHERN PACIFIC	
RAIL TRANSPORATION	
TRUST FORMED UNDER	
A DECLARATION OF	
TRUST	
DATED 2-16-2000 AS	
ORIGINATED UNDER 55-	
17-1 VIRGINIA STATUTES	
TRUST	
#36-1202043 AND	
TRUSTEE JE BATZER AS	
TRUSTEE	
SOUTHERN OREGON	841 STEWART AVENUE
CREDIT SERVICE, INC.	P.O. BOX 4070
	MEDFORD, OR 97501

JUN-17-02

RUSTEE'S NOTICE OF SAL

Pursuant to O.R.S. 86.705, et seq. and O.R.S. 79.5010, et seq. Trustee No.: 2002-30199-C

57000

Reference is made to that certain Trust Deed made by BERNIECE I. AWMILLER, AN UNMARRIED WOMAN, as Grantor, to FIRST AMERICAN TITLE INSRUANCE COMPANY OF OREGON, AN OREGON CORP., as Trustee, in favor of DIRECTORS MORTGAGE LOAN CORPORATION, A CALIFORNIA CORPORATION, as Beneficiary, dated 11/8/1994, recorded 12/2/1994, in the mortgage records of KLAMATH, Oregon, as Instrument No., in Book M94, Page 36785. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by NATIONAL CITY MORTGAGE CORPORATION. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit:

LOT 21 BLOCK 17, HILLSIDE ADDITION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE IN THE OFFICE OF THE COUNTY CLERK OF KLAMATH COUNTY, OREGON.

The street address or other common designation, if any, of the real property described above is purported to be:

2043 DEL MORO STREET **KLAMTAH FALLS, OREGON 97601**

The undersigned Trustee disclaims any liability for any incorrectness of the above street address or other common designation.

Both the beneficiary and the trustee have elected to sell the said real property to satisfy the obligations secured by said Trust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735 (3); the default for which the foreclosure is made is Grantor's failure to pay when due, the following sums:

FROM 2/1/2002	INT. RATE 9	<u>NO. PMT</u> 9	AMOUNT \$437.71	EMPOUND \$269.45	<u>TOTAL</u> \$6,364.44
Late Charg	ges:				\$197.01
ADVANCE ESCROW A					<u>AMOUNT</u> \$482.65
Grand Tota	al:				\$7,044.10

ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Deed of Trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the undersigned Trustee.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following:

The unpaid principal balance of \$50,796.04 together with interest thereon at the current rate of 9% per annum from 1/1/2002 until paid, plus all accrued late charges, escrow advances, attorney fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of said deed of trust.

WHEREFORE, notice hereby is given that the undersigned trustee will, on 10/30/2002, at the hour of 10:00 AM in accord with the standard of time established by O.R.S. 187.110 at the following place;

AT THE MAIN ENTRANCE TO THE KLAMATH COUNTY COURTHOUSE, 316 MAIN STREET, KLAMATH FALLS, OREGON

County of KLAMATH, State Oregon, sell at public auction to the higher dder for cash, the interest in the said described real property with the Grantor has or had power to convey at time of execution by him of the said Trust Deed, to satisfy the foregoing obligations thereby secured and the costs and expenses of sale, including reasonable charge by the trustee.

57001

Notice is further given that any person named in O.R.S. 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment to the beneficiary of the entire amount then due (other than such portion of the principal as would not then be due had no default occurred) and by curing any other default complained of herein that is capable of being cured by tendering the performance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforcing the obligation and Trust Deed, together with trustee's and attorney's fees.

In construing this notice, the masculine gender includes the feminine and the neuter, the singular includes plural, the word "Grantor" includes any successor in interest to the Grantor as well as any other person owing an obligation, the performance of which is secured by said Trust Deed, and the words "trustee" and "beneficiary" include their respective successors in interest, if any.

Dated: June 13, 2002

FIRST AMERICAN TITLE INSURANCE COMPANY

For further information, please contact:

FIRST AMERICAN TITLE INSURANCE COMPANY 200 S.W. MARKET STREET, SUITE 250 PORTLAND, OR 97201-5730 C/O LAW OFFICES OF STEVEN J. MELMET, INC. (949) 263-1000

STATE OF <u>CALIFORNIA</u> SS.

am an authorized representative of FIRST AMERICAN TITLE INSURANCE COMPANY, Trustee, and that the foregoing is a complete and exact copy of the original trustee's notice of sale.

Authorized Representative of Trustee

THIS IS AN ATTEMPT TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

ALCIDAVIT OF MAILING

57002

TS: 2002-30199-C DATE: June 18, 2002

The declarant, whose signature appears below, states that (s)he is over the age of eighteen (18) years; is employed in Orange County at 2912 S. Daimler, Santa Ana, CA 92705 by Law Offices of Steven J. Melmet, and is not a party to the within action; and that on the date set forth above, (s)he personally served the Notice of Default / Trustee Sale, of which the annexed is a true copy, by depositing in the United States Mail a copy of such Notice in a sealed envelope, certified or registered mail and regular mail or as otherwise indicated below, with postage prepaid, such envelope being addressed to the person(s) named at the addresses below.

I declare under penalty of perjury that the foregoing is true and correct.

BERNIECE I. AWMILLER 2043 DEL MORO STREET KLAMATH FALLS, OREGON 97601 CERTIFIED:71086095528006968242

BERNIECE I. AWMILLER 2043 DEL MORO STREET KLAMATH FALLS, OREGON 97601 First Class

BERNIECE I. AWMILLER P.O. BOX 631 KLAMATH FALLS, OREGON 97601 CERTIFIED:71086095528006968259

BERNIECE I. AWMILLER P.O. BOX 631 KLAMATH FALLS, OREGON 97601 First Class

JE BATZER
APPOINTED UNDER THAT CERTAIN TRUST KNOW AS NORTHERN PACIFIC
RAIL TRANSPORATION TRUST FORMED UNDER A DECLARATION OF TRUST
DATED 2-16-2000 AS ORIGINATED UNDER 55-17-1 VIRGINIA STATUTES TRUST
#36-1202043 AND TRUSTEE JE BATZER AS TRUSTEE
2043 DEL MORO ST.
KLAMATH FALLS, OR 97601
CERTIFIED:71086095528006968266

JE BATZER
APPOINTED UNDER THAT CERTAIN TRUST KNOW AS NORTHERN PACIFIC
RAIL TRANSPORATION TRUST FORMED UNDER A DECLARATION OF TRUST
DATED 2-16-2000 AS ORIGINATED UNDER 55-17-1 VIRGINIA STATUTES TRUST
#36-1202043 AND TRUSTEE JE BATZER AS TRUSTEE
2043 DEL MORO ST.
KLAMATH FALLS, OR 97601
First Class

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ALCIDAVIT OF MAILING

TS: 2002-30199-C DATE: June 18, 2002

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I declare under penalty of perjury that the foregoing is true and correct.

JE BATZER
APPOINTED UNDER THAT CERTAIN TRUST KNOW AS NORTHERN PACIFIC
RAIL TRANSPORATION TRUST FORMED UNDER A DECLARATION OF TRUST
DATED 2-16-2000 AS ORIGINATED UNDER 55-17-1 VIRGINIA STATUTES TRUST
#36-1202043 AND TRUSTEE JE BATZER AS TRUSTEE
P.O. BOX 631
KLAMATH FALLS, OR 97601
CERTIFIED:71086095528006968273

JE BATZER
APPOINTED UNDER THAT CERTAIN TRUST KNOW AS NORTHERN PACIFIC
RAIL TRANSPORATION TRUST FORMED UNDER A DECLARATION OF TRUST
DATED 2-16-2000 AS ORIGINATED UNDER 55-17-1 VIRGINIA STATUTES TRUST
#36-1202043 AND TRUSTEE JE BATZER AS TRUSTEE
P.O. BOX 631
KLAMATH FALLS, OR 97601
First Class

SOUTHERN OREGON CREDIT SERVICE, INC. 841 STEWART AVENUE P.O. BOX 4070 MEDFORD, OR 97501 CERTIFIED:71086095528006968280

SOUTHERN OREGON CREDIT SERVICE, INC. 841 STEWART AVENUE P.O. BOX 4070 MEDFORD, OR 97501 First Class

57004

TRUSTEE'S NOTICE OF SALE & NOTICE OF DEFAULT AND ELECTION TO SELL

DIRECTORS MORTGAGE LOAN CORP., A CALIFORNIA CORP.) ORIGINAL) AFFIDAVIT/PROOF OF SERVICE Client # 177533			
vs		Olidia II 171000			
BERNIECE I. AWMILLER)))			
STATE OF OREGON COUNTY OF MARION)) SS.				
I hereby certify that on the 20th day of	of June, 2	2, at the hour of 8:10PM, a copy of a TRUSTEE'S			

I hereby certify that on the 20th day of June, 2002, at the hour of 8:10PM, a copy of a TRUSTEE'S NOTICE OF SALE & NOTICE OF DEFAULT AND ELECTION TO SELL was served to all occupant(s) located at 2043 Del Moro St., Klamath Falls, OR 97601.

THE OCCUPANTS WERE SERVED IN THE FOLLOWING MANNER:

I served Occupant(s), Shawna Leroy by PERSONAL SERVICE

I served Occupant(s), Chad Leroy by SUBSTITUTE SERVICE TO Shawna Leroy, co occupant, a person over the age of 14 and who is an occupant of the described residence.

I served All Occupants over 18 years old by SUBSTITUTE SERVICE TO Shawna Leroy, co occupant, a person over the age of 14 and who is an occupant of the described residence.,

ALL SEARCH AND SERVICE WAS MADE WITHIN THE COUNTY OF KLAMATH

I am a competent person over the age of 18, a resident of said State, not a party to nor an officer, director or employee of, nor attorney for any party, corporate or otherwise and knew that the person, firm, or corporation served is the identical one named in the action.

I HEREBY CERTIFY that I completed substitute service, as required by law, by depositing with the United States Post Office by regular mail a properly addressed, postage prepaid envelope containing a copy of the TRUSTEE'S NOTICE OF SALE & NOTICE OF DEFAULT AND ELECTION TO SELL to Chad Leroy and all other occupants 18 years or older at 2043 Del Moro St., Klamath Falls, OR 97601 on JUN 2 5 2002

Signed: XXXX

OFFICIAL SEAL
V. T. WONG

NOTARY FUBLIC-OREGON
COMMISSION NO. 323304
MY COMMISSION PRIME 8, 2003

Subscribed to and sworn to before me this 24th day of June, 2002 by R. Egen

Notary for the State of Gregon

TEK 212

PROOF OF SERVICE **JEFFERSON STATE ADJUSTERS**

STATE OF OREGON COUNTY OF	lamath	COURT CASE NO.			
I hereby certify that I serve copies or original, certified	ed the foregoing individuals or oth I to be such by the Attorney for th	ner legal entities to be serv e Plaintiff/Defendant, as fo	ed, named below, by o	delivering or leaving true	
☐ Small Claim ☐ Summons ☐ Complaint ☐ Answer ☐	☐ Order ☐ Motion ☐ Affidavit ☐ Restraining Order	Subpoena Notice Petition Letter		ce of Sale hment uing Garnishment	
For the within named:	Occupants o	f 2043 Del	More Sti	reef	
PERSONALLY SER	VED: Original or True Copy to	within named, persona	lly and in person to:	at the address below.	
SUBSTITUTE SERV	/ICE: By delivering an Origina ge of 14 who resides at the pla	I or True Copy to ce of abode of the withi	Shawna L n named at said abo	eroy,	
	At the office which he/she ma				
SUIT UNDER A CO				personally and in person,	
to:		who is a/the		thereof, or	
(b) leaving such true	copy with	, the pers	son who is apparent	ly in charge of the office of	
OTHER METHOD:_					
and diligent search	tify that I received the within do and inquiry, I hereby return tha	at I have been unable to		ed respondent,	
2043	Del Moro St	reet		ADT 1000#	
ADDRÉSS OF SERVICE Klamat	h Falls		STATE	APT ./ SPC# 97601 ZIP	
that I am not a party to no	a competent person 18 years of a or an officer, director, or employed me is the identical person, firm, or	e of nor attorney for any pa or corporation named in the	arty, corporation or oth	or the State of Oregon and erwise, that the person, firm	
DATE OF SERVICO Or not found PRINTED IN OREGON	DE TIME OF SER	VICE Dave S	huek SIGNATU	TEK 212	

Affidavit of Publication

57006

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STATE OF OREGON. COUNTY OF KLAMATH

I. Larry L. Wells, Business Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Herald and News a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state: that the

Legal # 5080
Notice of Sale/Awmiller
a printed copy of which is hereto annexed,
was published in the entire issue of said
newspaper for: (4)
Four
Insertion(s) in the following issues:
August 7, 14, 21, 28, 2002
Total Cost:
Total Cost:
Do I will
before me on: August 28, 2002
Johns O Silly
ilbra a subble
Notary Public of Oregon
M. commission symines March 45, 2004
My commission expires March 15, 2004

NOTICE OF SALE
Pursuant to ORS 86.705 et seq. and ORS 79.5010, et seq. Trustee No: 2002-30199-C

Reference is made to that certain Trust Deed made by BER-NIECE I. AWMIL-LER, AN UNMAR-RIED WOMAN, as Grantor, to FIRST AMERICAN TITLE PANY OF ORE-GON, AN OREGON CORP., as Trustee, in favor of DIREC-TORS MORTGAGE LOAN CORPORA-TION, A CALIFOR-NIA CORPORA-TION, as Beneficia-ry, dated 11/08/1994, recorded 12/02/1994, in the mortgage records of KLAMATH, Oregon, as Instrument No., in Book M94, Page 36785. The beneficial interest under said Trust Deed and the obligations secured thereby are presently held by NATIONAL CITY MORTGAGE CORPORATION. Said Trust Deed encumbers the following described real property situated in said county and state, to-wit: Lot 21, Block 17, Hillside Addition, according to the official plat thereof on file in the office of the County Clerk of Klamath County, Oregon. The street address or other common designation, if any, of the real property described above is purported to be: 2043 Del Moro Street, Klamath Falls, Oregon 97601. The un-dersigned Trustee disclaims any liability for any incor-rectness of the above street address

have elected to self-the self real proper-ty to satisfy the poli-gardons secured 55/16 said frust Deed and a Notice of Default has been recorded pursuant to Oregon Revised Statutes 86.735 (3); the default for which the foreclosure is made is Grantor's failure to pay when due, the following sums: FROM: 2/01/2002, INT. RATE: 9, NO. PMT: 9, AMOUNT: \$437.71, IMPOUND: \$269.45, TOTAL: \$6, 364.44, LATE CHARGES: \$197.01, ADVAN-CES: ESCROW AD-VANCE: AMOUNT, \$482.65, GRAND TO-

TAL: \$7,044.10. ALSO, if you have failed to pay taxes on the property, provide insurance on the property or pay other senior liens or encumbrances as required in the note and Deed of Trust, the beneficiary may insist that you do so in order to reinstate your account in good standing. The beneficiary may require as a condition to reinstatement that you provide reliable written evidence that you have paid all senior liens or encumbrances, property taxes, and hazard insurance premiums. These requirements for reinstatement should be confirmed by contacting the un-dersigned Trustee.

By reason of said default, the beneficiary has declared all sums owing on the obligation secured by said Trust Deed immediately due and payable, said sums being the following:

The unpaid principal balance of \$50,796.04 together with interest thereon Both the beneficia-. at the current rate

of 9% per anym from 1/01/20 2 Vine paid, plus at ac-crued late charges. escrow advances, attorney fees and costs, and any other sums incurred or advanced by the beneficiary pursuant to the terms and conditions of the said deed of trust.

WHEREFORE, notice hereby is given that the undersigned trustee will, on 10/30/2002, at the hour of 10:00 AM in accord with the standard of time established by ORS 187.110 at the following place: at the Main Entrance to the Klamath County Courthouse, 316 Main Street, Klamath Falls, Oregon, County of KLA-MATH, State of Oregon, sell at public auction to the highest bidder for cash, the interest in the said described real property which the Grantor has or had power to convey at the time of execution by him of the said Trust Deed, together with any interest which the Grantor his successors in interest acquired after the execution of said Trust Deed, to satisfy the foregoing obligations thereby, secured and the costs and expenses of sale, including a reasonable charge by the trustee.

Notice is further given that any per-son named in ORS 86.753 has the right, at any time prior to five days before the date last set for the sale, to have this foreclosure proceeding dismissed and the Trust Deed reinstated by payment The entire amount then due (other than -such portion of the



or other common designation.

y and the trustee

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principal as would not then be due had no default decur-red), and by curing any other default. complained of here-in that is capable of being cured by ten-defing the perform-ance required under the obligation or to cure the default, by paying all costs and expenses actually incurred in enforc-ing the obligation principal as would ing the obligation and Trust Deed, together with trustee's and attorney's fees. In construing this indice, the mascu- line gender includes the feminine and the includes the flural, it word "Grantor" it rives any successor in interest to the Grantor as well as any other person any other person owing an obligation, owing an obligation, theiperformance of which is secured by said trust Deed, and the words "trustee" and "beneficiary" include ficiary" Include their respective successors in Interest, ifrany. Dated: June 13, 2002; By: Luis Cerdal Assistant Secretary. For further information, please contact: First American Title Insurance Company, 200 SW. Market surance Company, 200 SW Market Straet, Sulte 250, Portland OR 97201-5730 6/20 Eaw Offi-ces of Steven J. Med-met; (fict. 1949) 263-1000 P177533. 8/07, 8/14, 8/21, 8/28/2002. This is an attempt to collect a debt and collect a debt and any information obtained will be used for that purpose. #5060 August 7, 14, 21/28/2002